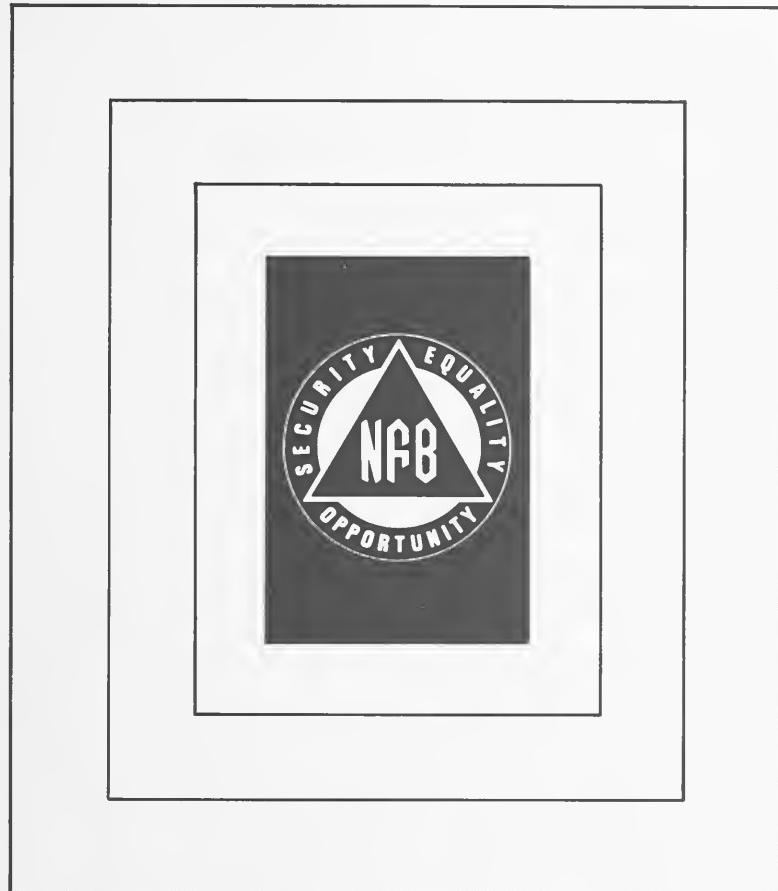


Braille Monitor



AUGUST-SEPTEMBER 1978

VOICE OF THE NATIONAL FEDERATION OF THE BLIND

Digitized by the Internet Archive
in 2010 with funding from
National Federation of the Blind (NFB)

<http://www.archive.org/details/braillemonitorause78nati>

THE BRAILLE MONITOR

PUBLICATION OF THE
NATIONAL FEDERATION OF THE BLIND

AUGUST-SEPTEMBER 1978

CONTENTS

KENNETH JERNIGAN IS ELECTED FEDERATION PRESIDENT	247
THE BLIND ON THE BARRICADES IN CINCINNATI: THE FIRST UNIONIZED WORKSHOP FOR THE BLIND	248
THE AMERICAN COUNCIL OF THE BLIND OPPOSES MINIMUM WAGE PROTECTION FOR THE BLIND AND THE RIGHT OF BLIND SHOPWORKERS TO ORGANIZE	256
VINDICATED—ALMOST	257
BY A. J. PINDER	
THE JESSIE NASH CASE ONE YEAR LATER	259
BY JAMES GASHEL	
AN OPEN LETTER TO DIRECTORS OF AGENCIES SERVING THE BLIND CONCERNING N.A.C. AND ITS ACCREDITATION PRACTICES	260
RECIPE OF THE MONTH	273
BY SALLY HARPER	
MONITOR MINIATURES	274

THE DEADLINE FOR ARTICLES TO APPEAR IN THE NOVEMBER ISSUE IS SEPTEMBER 10th.

Copyright, National Federation of the Blind, Inc., 1978

THE BRAILLE MONITOR

PUBLISHED MONTHLY IN INKPRINT, BRAILLE, AND ON TALKING-BOOK DISCS BY
THE NATIONAL FEDERATION OF THE BLIND

KENNETH JERNIGAN, *President*

LETTERS FOR THE PRESIDENT SHOULD BE SENT TO:

1101 SAINT PAUL STREET, SUITE 412
BALTIMORE, MARYLAND 21202
(301) 659-9314

WASHINGTON OFFICE

1346 CONNECTICUT AVENUE, NW., SUITE 212
WASHINGTON, D.C. 20036
(202) 785-2974

ADDRESS CHANGES AND SUBSCRIPTION REQUESTS
SHOULD BE SENT TO:

THE BRAILLE MONITOR
218 RANDOLPH HOTEL BUILDING
DES MOINES, IOWA 50309

ARTICLES AND LETTERS TO THE EDITOR
SHOULD BE SENT TO THE WASHINGTON OFFICE.

DONALD McCONNELL, *Editor*

* * *

MONITOR SUBSCRIPTIONS COST THE FEDERATION ABOUT \$15 YEARLY.
MEMBERS WHO CAN AFFORD TO DO SO ARE INVITED,
AND NON-MEMBERS ARE REQUESTED, TO COVER THE SUBSCRIPTION COST.
DUE TO ITS HIGH COST, BRAILLE IS AVAILABLE ONLY TO THE DEAF-BLIND
AND THOSE WITH A SIMILARLY COMPELLING NEED FOR THAT MEDIUM.
DONATIONS AND SUBSCRIPTION PAYMENTS SHOULD BE MADE PAYABLE TO
THE NATIONAL FEDERATION OF THE BLIND, AND SENT TO:

RICHARD EDLUND, *Treasurer*
NATIONAL FEDERATION OF THE BLIND
BOX 11185
KANSAS CITY, KANSAS 66111

* * *

If you or a friend would like to remember the National Federation of the Blind in your will, you can do so by employing the following language:

"I give, devise, and bequeath unto National Federation of the Blind, a District of Columbia non-profit corporation, the sum of \$____ (or "____ percent of my net estate" or "the following stocks and bonds: ____") to be used for its worthy purposes on behalf of blind persons."

If your wishes are more complex, you may have your attorney communicate with the Washington Office for other suggested forms.

* * *

*THE NATIONAL FEDERATION OF THE BLIND IS NOT AN ORGANIZATION
SPEAKING FOR THE BLIND—IT IS THE BLIND SPEAKING FOR THEMSELVES.*

KENNETH JERNIGAN IS ELECTED FEDERATION PRESIDENT

On the last day of the Convention in Baltimore, Kenneth Jernigan was elected President of the National Federation of the Blind. Early in the week, President Sanders announced that Dr. Jernigan had agreed to let his name be placed in nomination for the presidency; and during the week it became clear that Dr. Jernigan has largely overcome the health problems that caused his resignation last year. He told the Convention he hadn't felt so good in years.

Ralph Sanders takes a position on the NFB Board as the result of a constitutional amendment which automatically makes the immediate past President a board member. Dr. Jernigan also made it clear that Ralph Sanders will continue to carry much of the load of the presidency and act as a deputy President.

It was also announced that the National Office of the Federation is in the process of moving from Des Moines to Baltimore. Dr. Jernigan has already relocated in Baltimore, where he has accepted the position of Executive Director of the American Brotherhood for the Blind. Until the permanent offices of the Federation are ready for occupancy, probably sometime late this fall, mail for the NFB President should be sent to: Kenneth Jernigan, President, National Federation of the Blind, 1101 Saint Paul Street, Suite 412, Baltimore, Maryland 21202. The phone number is 301-659-9314.

Although President Jernigan is freer than in the past to devote his time and energies

Note: Due to the extreme seriousness of the Federation's financial position, and because the July *Monitor* was more than twice the normal length, this *Monitor* has been designated the August-September issue.

Many Federationists have taken our funding situation seriously and have pitched in by joining the Pre-Authorized Check plan, enlisting Associates, contributing the cost of *Monitor* subscriptions, and taking part

to the Federation, that time is not unlimited, particularly while he is in the process of setting up a new national headquarters. Therefore it is important to send him only the mail that he needs to deal with personally. If a letter does not need a reply, write at the bottom: No reply necessary. Do not send cassette letters; they take far longer to deal with than print or Braille ones.

The address for *Monitor* requests, cancellations, and changes of address is unchanged for the time being. That address is: The Braille Monitor, 218 Randolph Hotel Building, Des Moines, Iowa 50309.

Because we are in the process of moving the masses of NFB materials from the Randolph Hotel Building to Baltimore, no requests for literature, films, aids, or appliances can be filled until November. If you have already sent orders to Des Moines, these will be held until they can be filled; but no further orders should be sent. When the materials division of the National Office is once more in operation, the *Monitor* will publish the new address.

The Washington Office of the Federation remains the same. Articles for the *Monitor*, or letters for the editor or for Jim Gashel, Chief of the office, should be sent to: National Federation of the Blind, 1346 Connecticut Avenue, NW., Suite 212, Washington, D.C. 20036; telephone 202-785-2974.

A complete report of the Baltimore Convention—which was our best yet—will appear in the October issue of the *Monitor*. □

in the candy and candle sales, as well as other means of supporting the national movement.

Still, this is the second year the Federation has existed by drawing on its meager reserves. This cannot continue. The future of the NFB, and this means the continuing progress of the blind toward first-class status in society, depends on each Federationist pitching in now. □

THE BLIND ON THE BARRICADES IN CINCINNATI: THE FIRST UNIONIZED WORKSHOP FOR THE BLIND

The blind are getting tired of charity. For charity with regard to blind persons carries with it enormous penalties.

When we ask to be considered normal citizens, when we ask for the normal rights of citizens, the public and the government do not hear us. The more basic the rights we ask for, the more bewildered the general public seems to be. As complicated as are the justifications and methods of affirmative action or compensatory treatment, it is ironic but true that the public today understands these far more easily than simple demands for basic rights.

When Congress passes a civil rights statute for the handicapped, the ink is barely dry before someone suggests that enforcement of the statute be taken out of the Office for Civil Rights and transferred to the Architectural and Transportation Barriers Compliance Board. The basis for this is that equal treatment for the handicapped must obviously be different in kind from equal treatment for other minorities or women—it is clearly a matter for “experts” in handicaps, for people who have studied us in graduate school.

This notion is false; it is a lie that has grown out of the centuries of separation. The public does not know us, has never seen us, and they tend to doubt that our problems could simply be a matter of lack of opportunity. If we have 70% unemployment, it must be because there are no talking elevators. It must be because we cannot operate machines. Obviously, this thinking goes on, the only way the blind can hold jobs at all will be in sheltered conditions where they can be watched over and individually trained.

Nowhere is this false notion more prevalent, and more damaging, than in the special labor laws set up for the blind. Until recently—until the Federation brought up the matter constantly over a period of years—the blind were excluded from the protections

of the National Labor Relations Act. Shop-workers are not workers—the rationale went—they are “rehabilitation clients.” We are still excluded from the protections of the Fair Labor Standards Act. Even in private industry, we may be paid one fourth the minimum wage.

It is no secret that these special and demeaning laws are convenient to the highly paid “experts” who are hired to deal with us. It is no secret that this convenience has led these experts to emphasize, to insist on our inability to compete normally.

What has been called the “blindness system” is at its most rotten in the structure of most of the sheltered workshops in the country. These shops, or “lighthouses” expose the whole blindness system and indicate in a nutshell the major problems facing the blind today. It is no accident, therefore, that the struggle of the blind to attain independence and first-class citizenship has become centered in these shops; and it is no accident that what goes by the name of “professional expertise” should reach its lowest level in the management of these shops.

It is in the shops also that the smoke-screen of “special treatment” is the thickest. The special provisions that exclude the blind from the protection of labor laws have had a predictable result: The blind worker today is about where sighted workers were at the beginning of this century—before the labor movement grew up. Shop-workers are very much at the mercy of management. They work in sweatshop conditions, at starvation wages. They may be laid off indiscriminately; they are given no job security or fringe benefits. They are fired for their attempts to change the situation. It is the classic nineteenth-century sweatshop situation.

Yet because the blind are considered to be helpless and incompetent, the public sees nothing wrong in the situation. Far

from rising up in angry protest, the public floods these shops with contributions. Their managers and directors are regarded as kindly and charitable. If the blind workers complain, it is put down (to quote Paul Harvey) to "the itching, smarting, writhing awareness of an inferiority which the patient refuses to accept."

But the smokescreen is being cleared away. The regressive shops and managers have been put on the spot by the example of a handful of shops that have voluntarily moved into the twentieth century. Blind Industries and Services of Maryland—which maintains three large shop operations, and whose president (not coincidentally) is a leader of the organized blind movement—reformed the shop system. BISM began paying every worker, even trainees, the minimum wage or above. It rid itself of the benevolent "experts" and brought in production experts and modern equipment. It moved from handcrafts and menial subcontracted assembly to prime manufacturing. Not surprisingly, BISM's profits rose greatly; its state subsidy dwindled as it became unneeded. And again not surprisingly, its blind workers—once they were treated as workers and not patients or clients—became far more productive.

Blind Industries and Services of Maryland has not been alone. There have been other shops around the country that have taken the same path with the same results. It has turned out to be good business. All of this has given the lie to the pious pronouncements of the traditionally structured shops and lighthouses. It has made it clear, at least to the blind, that the old system was necessary not because of the inability of the blind workers but because of the incompetence of the management. There is no difference between the labor struggles of the first decades of this century and the present struggles of blind shopworkers. In the old days, it was assumed that blue-collar workers could not take responsibility for their own lives. Today it is still assumed that the blind cannot.

But, as we say, the situation is changing.

As sighted workers learned to organize, so are the blind learning. The battle has been building for many years, and it reached a new milestone on June 7, 1978, when the workers at the Cincinnati Association for the Blind voted to be represented by the Teamsters Local 100.

The events that led up to this victory have been reported fully in past issues of the *Monitor*. The first real victory was the decision by the National Labor Relations Board (NLRB) that the Chicago Lighthouse for the Blind was engaged in substantial commercial activity and that its blind workers deserved the protections of the National Labor Relations Act. The NLRB ordered an election in the Lighthouse's shops. At that time, the union we were working with was the Communications Workers of America (CWA). Despite the best efforts of both the CWA and the Federation, and the support of the blind workers at the Lighthouse, we were unsuccessful.

Basically, the problem was that we were unprepared for the depths to which the Lighthouse management was willing to go in order to keep a union out. First they fired the chief organizer. Then, since we had a clear majority of the workers on our side, the Lighthouse took on enough temporary workers to alter the balance. Then, when the vote went against the union, the Lighthouse fired all those active in the organization efforts. They masked these firings by laying off at the same time the extra workers they had taken on to sway the vote.

It was two years before another opportunity arose to try again. This time it was at the Cincinnati Association for the Blind, and this time the union involved was the International Brotherhood of Teamsters. In the meantime, the NLRB had decided that a workshop for non-blind handicapped workers in California did not fall under its jurisdiction. Seeing a slim chance that the NLRB was drawing back from its stance in the Chicago Lighthouse decision, the management of the Cincinnati Association appealed to the NLRB, asking that the CAB be declared a rehabilitation program rather

than a business.

This move indicated the CAB's desperate desire to keep the union out. It also resulted in a far more explicit statement of the NLRB's position that *blind* workshops, as opposed to general workshops, are substantial commercial operations.

Having learned from the Chicago experience that management would likely attempt to intimidate the shopworkers, the Federation sent National Treasurer Dick Edlund as well as a labor attorney to Cincinnati to keep watch on the CAB in the weeks preceding the election.

In charge of the organizing was Dallas Barnes, who is the organizer for District 26 of the Teamsters (Local 100 is one of about a dozen locals in District 26). Every morning Dal Barnes and Dick Edlund were out in front of the CAB shop before work began, talking to the workers and handing out leaflets. Other Teamsters took part: George Sawyer, president of another local in the district, lent a hand. The business agent for Local 114 brought a van filled with coffee and doughnuts to the shop every morning.

There were meetings held roughly twice a week with the workers to explain the benefits of a union and to talk about the incredible variety of counter-propaganda distributed by the CAB management.

This constant activity was needed, because—as expected—the CAB tried every anti-union trick in the book to discourage the workers from voting for a union. A number of the tactics used could have been the basis for filing charges of unfair labor practices with the NLRB.

One charge that was filed, but not pressed, grew out of statements made by Milton Jahoda, executive director of the CAB, to a reporter from the *Cincinnati Enquirer*, and printed in the paper on May 27, as follows:

"Jahoda said the association may not be able to pay a high labor bill without some change in the work force, including possible layoffs or hiring more productive workers.

"The difference has to come from something. The union probably would say that's

a threatening thing. But the economics are you'd have to let the less productive go. That's what economics would suggest," he said.

"I've heard people say all you've got to do is raise the price to the customer, but you have to be competitive. If you lose customers, you lose work. And if there's no work, there is no employment."

Those who are familiar with the common practices of workshop managements may find it hard to believe that these statements are illegal—they are mild compared to the usual threats thrown at shopworkers. But according to NLRB rules, these warnings of layoffs with no demonstrable economic basis are an unfair labor practice. There were others.

Just before the election, Mr. Jahoda called in the workers in groups of eight or ten. In his office with him were the top brass of the Association. Mr. Jahoda then read a statement to the workers, indicating why a union would be against their interests. A more blatant form of intimidation would be hard to imagine.

One of Mr. Jahoda's tricks worked very much against him. At the Association there is a group called Transportation Unlimited. These are sighted workers who used to work directly for the CAB. But then one day they were told they no longer worked for the CAB, they worked for Transportation Unlimited. Apparently this dodge was thought up so the CAB could retain the ratio of 75% blind workers to 25% sighted workers that is necessary under the Wagner-O'Day Act (which guarantees workshops federal contracts). These employees were not included on the list eligible to vote in the election, though it probably would have been to management's benefit to have them vote, since as sighted workers, they got a far better deal from the CAB. We did not even know this other group existed. Yet when Mr. Jahoda began calling in the small groups for his last-minute harangue, the workers in Transportation Unlimited became angry. At the election itself, they turned up and demanded the right to vote.

It was too late at that point to add them to the voting list; but even if they had voted, it would not have changed the result according to our informal count. The whole episode indicates the sort of tactics that are second nature to the CAB management.

The battle was largely carried on with leaflets and cassettes. Dick Edlund recorded several cassettes for the workers. Here are some excerpts from one of them:

"The time of election has now been set. That day is June 7, a Wednesday. There will be two voting periods—one in the morning, one in the afternoon. It's a simple vote. Yes means you want to be represented by the Teamsters for the rights of collective bargaining. No means that you don't want to be represented by the Teamsters and are probably content with the way things are. I would certainly hope that your vote would be yes. Yes means that you do want protection, that you do want seniority rights, that you do want paid vacations; and yes means that you do want better wages. A yes vote would also mean that you want the dignity of making a good wage and being completely and fully self-supporting. A yes also means that you want the Teamsters Union to bargain on your behalf, with your advice.

"The Teamsters Union, as you all know, is the largest union nationwide. The reason they are the largest is because they get the best contracts, they do the best job for their members. It's my understanding that a meeting will be called where Mr. Jahoda, the director, your employer, will tell you beliefs that he holds concerning labor unions. You can be assured that he will be well rehearsed by his labor-relations attorney who specializes in discouraging people from organizing. But don't be misled. What you will hear will be a poorly disguised attempt to misdirect your attention, to make you feel guilty for opposing him, and most important, to get you to vote against your own self-interest. The remarks that Mr. Jahoda and his staff will probably make have been put together by a very sharp attorney who is schooled in the art of union-breaking. Familiar slogans, actions, and

themes will emerge. You should be aware of them, and you should be on guard. And do not be misled.

"A familiar theme of an employer is that if a union comes in, the plant will close down. Thus you will be told by Mr. Jahoda and his staff that if a union comes in, the plant will no longer be profitable and will have to close down. This is a typical employer theme, and it is certainly false here. Your best assurance that the plant will not close down is that if it does, Mr. Jahoda and the rest of his staff will have no job and nowhere else to go. And I'm quite certain that Mr. Jahoda and his staff do not want to lose their generous year-round paychecks.

"You should also be aware of the fact that the shop is a big profit-maker for Mr. Jahoda and the rest of the staff. For instance, in 1976, the profit in that shop was substantially over \$140,000. And according to Mr. Jahoda's own testimony at a congressional hearing recently, everyone in the shop's wages could have been brought up to the minimum wage and he would have still had \$100,000 left with which to raise everyone's wages even more and to put in some fringe benefits—such as paid vacations, holiday pay, and hospitalization insurance. These facts can be verified on the reprint of the financial statement that will be passed out.

"You'll also hear that the shop only gets from five to ten percent of the contracts that they bid on. That to me indicates something wrong in management, because there are shops throughout the country that are paying substantially higher wages, substantially better fringe benefits, and still getting a lot higher number of contracts that they bid on. Low wages for too long a time have been an excuse for poor management.

"You will probably be told that if you get an increase in salary and fringe benefits that they will get even less contracts. Don't believe it. You might be interested in knowing, for instance, that Blind Industries and Services of Maryland have three shops in the state. Their salaries and fringe benefits

are far greater than those that you are receiving. And they get a substantially higher number of contracts that they bid on than five to ten percent. No one in that shop receives less than the minimum wage. Everybody receives substantially more than that. They have paid vacations, they have year-round employment, they have paid holidays, they have an insurance program—both life insurance and hospitalization—and they have a very good retirement plan. So therefore it is simply not reasonable to say that high wages will injure the ability of the Association to get good contracts that will then allow them to pay you a living wage, to also provide you with decent fringe benefits.

"And finally, you should be on guard when Mr. Jahoda and his staff talk about closing down. The things they're really not telling you, such as: What guarantees do you have without a union that the shop could not be closed down anyway? The people could be laid off in any order that they want to, suiting the whims of management and supervisors.

"You will probably also be told that if you get a union, they'll take you out on strike. The union cannot take you out on strike. And this is very important. You—the members of the union—are the only ones that can go out on strike. The union will help you with anything that is desirable on your behalf, but a strike can only be called when a majority of the people that work in that shop call it. And the reason you call a strike is only because the management is being unfair, they have not lived up to their contract, or they will not bargain in good faith. After negotiations, if you cannot get an agreement, then a meeting will be called and a vote will be taken.

"If you want to go out on strike, you—the people that work in the plant—must have a majority that say yes, we go out on strike. Then you've got some protections also through the union. If you're out on strike, you don't get anything for the first week. For the next three weeks, you get \$35 a week; after that you get \$45 a week

for a year. That's from the union.

"You will probably be told that you will be called on to pay a very large initiation fee. That's not so. The union has waived that. You will be told, undoubtedly, that your union dues will be high. Your union dues, according to the Teamsters, will be—for those of you who will make less than \$3 an hour—will be \$18 a month. For those of you who make over \$3 an hour, dues are \$19 a month. But in any event, you don't pay union dues until after the contract is signed. And I don't believe that you will sign a contract, or the union will allow you to sign a contract, where your increase in salaries and fringe benefits wouldn't be far greater than that amount of money."

A later part of the cassette was as follows: "Some supervisors will probably even ask you what goes on at your private union meetings. They will probably tell you things that will happen to you if you join a union. They will probably go around taking names of people who are union sympathizers. It's not unusual at all that union sympathizers during a campaign will be laid off for various reasons, such as lack of work, we've run out of material, various things. Those things are designed to scare you and frighten you into voting no. You should be aware of the fact that if any supervisor talks to you about a union and tells you how bad they are, or talks to you about what will happen to you if you join a union, or wants to know what happens in your meetings—those are violations. The company—the Cincinnati Association—your supervisors, and Mr. Jahoda will be dealt with severely by the Labor Board.

"We in the National Federation of the Blind and our attorneys will work with you; the Teamsters Union and their attorneys will work with you to see that justice is done."

Dick Edlund's warnings were not in vain: Most of these tactics were used. There were frequent layoffs preceding the election. Of course layoffs are a way of life for most shopworkers, but the CAB carried the tactic further. One day the shop ran out of

materials at about nine o'clock in the morning, but the workers were not sent home. They were left there until two in the afternoon, just sitting there with nothing to do. According to shopworkers, this was the first time that has ever happened. It was a way of showing the workers that they should be grateful for any work they can get, and it is an unfair labor practice.

The battle of the leaflets continued the discussion of the benefits of unionization. In response to our leaflets, the CAB prepared what it called "fact sheets." There were at least six of them, with huge lettering reading: "Vote Right! Vote No!" These sheets attempted to explain away the information provided in our handouts. We then responded with answers to the CAB "fact sheets."

But the CAB and Mr. Jahoda were in a weak position. This is shown by the beginning of our response to Fact Sheet Number 4. Our leaflet was titled "Listen to what our 'best friend' is saying now," and it began as follows:

"Before we get into the CAB's 'Fact Sheet Number 4,' think again who is really doing the talking. It's none other than our 'best friend,' Mr. Jahoda. Remember him?"

"(1) He is the one who did not want us to have the *right* to vote for the Teamsters Union.

"(2) He is the one who recently testified before the U.S. Congress *against* guaranteeing blind workers the minimum wage.

"(3) He is the one who *does not believe* that we need a pension plan, a hospitalization-major medical program, or a vacation plan without a qualifying period.

"(4) He is the same 'good friend' who brought us the work evaluation unit.

"(5) He is also that 'decent fellow' who pays us no show-up pay and lays us off while non-handicapped workers from Manpower continue to work."

This leaflet ended with a litany of the problems at the Cincinnati Association for the Blind. It is a list that could be taken

from the textile mills of eighteenth century England, and it should remove any doubt in anyone's mind about the necessity for major reforms in the system of workshops for the blind. The leaflet read as follows:

"Pretty soon we will be able to look back to the time before the Teamsters Union was your representative, when the word at the Cincinnati Association for the Blind was 'No.'

- "No decent wages
- "No pension plan
- "No seniority
- "No show-up pay
- "No notice before layoff
- "No machinery breakdown pay
- "No job security
- "No representation
- "No grievance procedure
- "No promotional opportunities
- "No health and safety program
- "No verified piecework work standards
- "No guaranteed wage increases
- "No cost-of-living raises
- "No overtime pay after 8 hours a day
- "No fair paid vacation program
- "No decent paid-up life insurance program
- "No sickness and accident benefits
- "No long-term disability benefits
- "No hospital-surgical-medical protection
- "No severance pay
- "No dental program
- "No equal opportunity program
- "And no Teamsters Union to win them for you."

The leaflet following this one was headlined: "Would you ask a fox to design your henhouse? Would you ask the man who tried to deny you the right to vote how to cast your ballot?"

The CAB's sixth and final "fact sheet," distributed the day before the election, held itself out to be "a summary of the things that the Teamsters have told you about the issues and the true facts about those issues—facts

that are public knowledge and accurate without question." (This quote, by the way, captures the magisterial tone of all the CAB handouts.)

The fourth item on this "fact sheet" was revealing. It read as follows:

"(4) Teamsters say the workshop is like any other profit-making industry. *The fact* is the workshop is operated only to provide work for blind and visually handicapped workers as one of the many services of the CAB."

The first thing to say about this statement is that it is not only the Teamsters who say the workshop is like other profit-making industries, this is the determination of the National Labor Relations Board. A second point about the statement was made by Bert Bisgyer, the labor attorney watching the election for the Federation. As he said, "The employer thought that he was giving these people a service by just keeping them employed. He had things turned around. People were performing a service for him and were producing goods for commerce which at times have generated a substantial profit for the workshop. And like workers anywhere, they should get the benefits of their labors."

To those unfamiliar with the kind of slaveshop conditions that prevail in regressive sheltered shops, the question may arise: Given these degraded conditions—the low wages, the lack of job security, the lack of workers' rights—why would there be any doubt about the outcome of the election?

The answer lies in the degree of authority shop managers are accustomed to wielding. The answer is that, granting the condition of most state rehabilitation programs in the country, blind people have only two choices: They can work in sheltered workshops or they can sit idle at home. The shop managers know it, and they drive it home at every opportunity. A good example of the situation was found in the affidavit of Mary Lou Winter printed in the January 1977 *Monitor*. Mary Lou Winter was an employee in the Chicago Lighthouse shop.

Her supervisor discovered her reading a copy of the *Monitor*. As Miss Winter wrote: "All of a sudden, without any warning whatsoever, she grabbed the magazine from my hand and said in a loud voice, 'I don't want to see you reading this here again! It's not the kind of thing you read around here. You'll be in a lot of trouble if you keep doing this.' Then she tore the magazine in two and threw it in the trash, while telling me to go to her office and think about what I had done."

Later, of course, Mary Lou Winter was fired for what she had done—she had dared to work for a union at the Lighthouse.

The Federation went into this organizing campaign well aware of the situation we would face. Working with the Teamsters and a reluctant local Labor Board, we tried to take every measure to ensure that the workers would not be intimidated. Usually, the NLRB requirements are met if the laws ensuring the fairness of elections are posted in print around the company. We persuaded the NLRB regional director to read these laws and safeguards onto a tape and then arranged to have this tape played over the public address system at the CAB twice a day during the days preceding the election.

A special device was made for marking ballots, so this could be done in secret by blind workers—with no sighted help. We secured two voting periods—from 9 to 11 in the morning and from 2 to 3:30 in the afternoon. We did this because we suspected the management might lay off pro-union workers the day of the election. If this happened, we would have time between the two voting periods to take action. This did not occur, but who knows what might have happened if we had taken no precautions.

We arranged another precaution: When the time came for the vote, a group of three people—one from the CAB, one from the union, and one from the Labor Board—went up to each worker or group of workers and told them it was time to vote. The group of observers then went with the workers to the voting place. Everybody watched everybody else to see that there was no coercion.

of any kind.

We announced the results of the election in last month's *Monitor*—the workers voted 44 to 35 in favor of a union. The Association had a week to challenge the election. They did not do so, and on June 15, 1978, the NLRB issued the following certificate. Because it is a historic document, we print it in full:

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

Cincinnati Association for the Blind,
Employer
and

Truck Drivers, Chauffeurs, and Helpers
Local Union No. 100, affiliated with
The International Brotherhood of
Teamsters, Chauffeurs, Warehousemen,
and Helpers of America,

Petitioner

CERTIFICATE OF REPRESENTATIVE

An election having been conducted in the above matter under the supervision of the Regional Director of the National Labor Relations Board in accordance with the Rules and Regulations of the Board; and it appearing from the Tally of Ballots that a collective bargaining representative has been selected; and no objections having been filed to the Tally of Ballots furnished to the parties, or to the conduct of the election, within the time provided therefor;

Pursuant to authority vested in the undersigned by the National Labor Relations Board, it is hereby certified that a majority of the valid ballots have been cast for Truck Drivers, Chauffeurs, and Helpers Local Union Number 100, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America, and that pursuant to Section 9(a) of the National Labor Relations Act, as amended, the said labor organization is the exclusive representative of all the employees in the unit set forth below, found to be appropriate for the purposes of collective bargaining in respect to rates of pay, wages, hours of

employment, or other conditions of employment.

UNIT: All production and maintenance employees and "clients," including shipping and receiving employees, of the Employer's workshop located at 2045 Gilbert Avenue, Cincinnati, Ohio, excluding office clerical employees, professional employees, guards, and supervisors as defined in the Act.

Signed at Cincinnati, Ohio, on the 15th day of June 1978.

On behalf of National Labor Relations Board,

EMIL C. FARKAS,
Regional Director, Region 9,
National Labor Relations Board.

Following the certification of the election, Dick Edlund had these comments:

"The Teamsters have assigned what they tell me is the best business agent they've got, one George Cooper. The business agent does all the contract negotiating. I had a long talk with George before I left, and he said he would hope he could count on the Federation. I told him that certainly went without saying. That's what we're there for. It'll have to come along gently. We can't go in and get everybody five bucks an hour. And they don't expect that. We've never told them that."

There is still a long, long way to go before sheltered workshops are good places to work. Some of them are, and some others—such as the Cincinnati Association for the Blind—are likely to improve greatly in short order.

On the other hand, we have made vast progress very rapidly. Three years ago, not only was there no union in any workshop, but the NLRB would not even order elections to be held. One measure of our progress is to remember the response of the president of the board of the Chicago Lighthouse when a union representative wrote requesting a meeting to discuss a contract. The response declined the request and stated: "it is in the best interests of our employees to deal with them directly and

not through a third party." This preceded firings of blind workers and a massive campaign of political activity not only against the Lighthouse's blind employees but against the Federation as well.

The Teamsters have promised to help any group of blind workers who wish to organize, anywhere in the country. The National Federation of the Blind does not need to make any such promise. We *are* the blind. Our ranks are made up of blind shopworkers as well as those who have gotten jobs

outside the shops. Even when Federationists have moved into managerial positions in shops—which is the case at Blind Industries and Services of Maryland—there is no chance of our forgetting where we have come from.

We know who we are, we know where we have been, and we will never go back. Beyond this, we will not rest until all blind people are given a decent chance—an opportunity to use their talents and to be paid a decent wage for doing so. □

THE AMERICAN COUNCIL OF THE BLIND OPPOSES MINIMUM WAGE PROTECTION FOR THE BLIND AND THE RIGHT OF BLIND SHOPWORKERS TO ORGANIZE

In the July issue of the *Monitor*, we discussed the NFB's efforts to persuade Congress to pass H.R. 8104. This bill, introduced at our request by Congressman Phil Burton, is very simple. Indeed, it consists of one sentence. Its only purpose is to eliminate the clause in the Fair Labor Standards Act that presently allows blind workers to be paid less than the statutory minimum wage.

We reported that at the hearing on the bill, the American Council of the Blind (ACB) and its parent organization, the American Foundation for the Blind (AFB), withdrew at the last minute and decided not to testify. We suggested that this was strange, since the ACB purports to be an organization of the blind working to better the status of the blind. We were not actually surprised, of course; since the ACB is dominated by the AFB, and the AFB is the parent also of National Industries for the Blind (NIB), the organization of sheltered workshops, and of NAC, the vigilante arm of both AFB and NIB.

As *Monitor* readers will recall, in 1976 the AFB, the ACB, NAC, and NIB formed a coalition called the Affiliated Leadership League, or ALL. As we pointed out, roughly half the organizations belonging to ALL were ACB affiliates; most of the rest were members of NAC or NIB. Suffice it to say that ALL could never pass a resolution without the solid support of the ACB.

This last June, ALL held its Annual Delegate Assembly. Recently, the official ALL newsletter, called the *All-o-Grams*, was published, and it had the following news:

"In recognition of the value of work study programs and expanded rehabilitative services for the multi-handicapped blind, the ALL Delegate Assembly passed resolutions opposing H.B. 8104. The delegates recommend that the National Labor Relations Board recognize the unique nature of providing work opportunities for those with limited capabilities as part of the total rehabilitative process."

There it is. Despite the smokescreen of nonsense jargon, ALL is against minimum wage protection for the blind. And after reading the previous article, you can guess what the resolution on the NLRB is about—ALL apparently believes blind workers should not even be allowed to hold union elections. The pathetic part of this sell-out of the blind is that the ACB is not willing to admit what it is doing; it hides behind a wall of jargon and the skirts of ALL.

If anyone still wonders about the difference between the NFB and the ACB, or why they do not work together, here is the answer. The NFB works for expanded rights for blind persons. It is the voice of the blind. The ACB is the voice of agency directors and workshop managers. It is that simple. □

VINDICATED—ALMOST

by A. J. PINDER

[The following editorial appeared in the Grinnell (Iowa) *Herald-Register*, June 1, 1978. Mr. Pinder is the publisher of the newspaper as well as the father of Federationist Peggy Pinder. The editorial is notable not only for the light it sheds on the furor generated in Iowa by the Des Moines *Register* and *Tribune*, but for the fact that Mr. Pinder acknowledges right at the beginning his special interest in the subject. This is a far cry from the *Register's* silence on its own connections to the Governor's committee on the Iowa Commission. The editor's note that begins the editorial is Mr. Pinder's.]

Editor's note—During the period of deliberation by the special committee appointed by Governor Ray to examine the Iowa Commission for the Blind, we resisted comment. This we did because we have a vested interest—a blind daughter who experienced the Commission's orientation program, and benefited by what now seems to be one of the best programs for the blind in the country. Now that the report is in, we will comment.

Well, now it's official. The second GREAT EXPOSE pushed to the hilt and beyond by the newspaper that repeatedly tells us that it is "The Paper Iowa Depends Upon" is finished.

And the score—two times at bat and two strikeouts.

We are dismayed. If we "depend upon" this paper, as they tell us we do, why is it that their all-out attacks have produced a virtual zero—a zilch—a nothing?

And why, if we "depend upon" this paper, can't they learn to admit that they goofed?

Would that we had an actual count of their stories containing charges, more charges and more charges against the Commission, and against Kenneth Jernigan. And most of them on page one.

There's little doubt in any regular

Register reader's mind about the quantity of so-called reporting that they laid out for those of us who "depend upon" their wisdom, their expertise, and their power. Their answer we've already heard in conversations with some of their staffers: "We're just reporting what others say . . ."

And we ask: "Are you really?" And we ask: "Have you no responsibility to check out your sources for reliability?" And we ask: "Is the assumption of guilt, and then an all-out effort to prove same, the way that the newspaper that Iowa Depends Upon works?"

One member of the *Register* hierarchy told us that ". . . we've really got the goods on them . . ." And he added a few choice personal observations. And we retreated because of the vehemence of his answer to a casual question on our part.

And one other simple thing that a newspaper must learn—that's something called FAIRNESS. If the "depends upon" paper has been fair, in this expose, we haven't noticed it.

Perhaps the classic was in their reporting of the special committee report. First, recall how many front-page stories of charges, charges, and more charges that you read. Of course, the "depends upon" people will tell you that others were making those charges—and they won't say a thing about how many people, and how many hours, and how many conferences, and how many sessions they had determining where to find those people, and how to get the charges on the front page.

Then the FAIRNESS doctrine enters. The verdict—if it may be called that—comes in. The committee was impartial, and even the "depends upon" people admit this, since they got one of the original committee off the committee because he joined that subversive group called the National Federation of the Blind.

Check the "depends upon" paper Saturday headlines—and if you don't have the paper, here's what it said on the front page in big bold letters: REPORT CITES BLIND AGENCY CONFLICTS. Then, in small letters underneath, it says: "But Governor says commission is vindicated."

Then for another check of FAIRNESS—remembering all those marvelous expose charges, charges, and more charges on page one—look at page 6-A Saturday, where the headline says: BLIND COMMISSION DID NOT BREACH PUBLIC TRUST, REPORT SAYS.

We ask quite simply and directly: if all the columns upon columns of charges were valid news, and it must have been if the "depends upon" paper put it on page one—why in heaven's name was not the practically complete vindication, as evidenced by the 6-A headline, put on page one?

The First Strikeout

Some months back, the "depends upon" paper ran column after column after column of charges against the Iowa Public Broadcasting Network.

Same answers from them: "Someone else was doing the charging," and "We're just reporters." Ridiculous. If some idiot walking down Locust Street in Des Moines were to make certain charges about President Carter, Senators Culver or Clark, Governor Ray or anyone else, would they willy-nilly run the charges and excuse themselves by saying ". . . We're just reporters"? Idiocy. They have some responsibility, and they might practice learning to use it.

With regard to the IPBN expose baloney, they wound up the same way that they did with the Commission for the Blind—zero, zilch, cipher, nothing.

But, is that where it ends? With an "Ooops, we slipped"?

Actually not. Think of the confusions they have created in the minds of all of us who, by their statements, depend upon them. And we don't think it's too much to ask to depend upon them for fairness, and

for reasonable checking of sources, and for elimination of vendettas because this personality or that personality might be too "strong" for them to cope with.

Most of us take either one or the other of the "depends upon" papers. And most of us would like to believe that we can really depend upon them.

But is it responsibility to charge, and charge, and charge, and then when the charges prove not to be true, when checked by responsible authorities, to simply say "oops" or to ignore it totally?

Maybe this is so in their book—but not in ours.

No institution—whether it be the Legislature, the State Geological Survey or the Commission for the Blind—can be immune from legitimate investigation. But it can, and should be immune from reckless charges, unfair reporting, and the appearances of a vendetta.

As a reporter, we might mention a totally personal conversation that we had with two staffers of that paper. Perhaps it will serve as an indicator.

During a discussion with the two, we said: "It might be important to note that when Ken Jernigan took over the post at the Commission, Iowa was rated as 48th in the effectiveness of their commission (and that was because there were only 48 states at that time) and through his effectiveness, he has brought Iowa up to first in the nation.

"*Not exactly true,*" said the others, "maybe one of the top four, but not necessarily first."

At this point we noted that 48th to fourth was no bad deal and got no response.

And then, as if to mollify our wrath, one said: "ALL of Iowa ought to be proud of your daughter and her accomplishments as a blind young lady."

We replied: "We are proud of our daughter. But all of Iowa ought to be concerned that all of the blind of Iowa have the same opportunities that she had. Perhaps this won't be totally possible because of what

has transpired."

If you have been with us this long, thanks. And we hope that we have contributed a little bit to helping Iowa continue to

be the best (or fourth best) in the nation in its blind program. Many can contribute if given the opportunity to develop their abilities. □

THE JESSIE NASH CASE ONE YEAR LATER

by JAMES GASHEL

In the *Braille Monitor* for July 1977, we reported that Jessie Nash, a blind vendor in Albany, Georgia, had lost her vending facility due to a decision by the Department of Defense to turn the business over to a private food service firm, in violation of the Randolph-Sheppard Act. The case was compounded by the actions (or rather inactions) of the state agency responsible for the vending facility program in Georgia; and Jessie Nash (with the backing of the Federation) had to go to court. Since that time we have gone through an amazing and seemingly endless series of delays and maneuvers by the Georgia agency and federal officials.

First we filed a complaint in federal court. The result of this was that the Georgia Department of Human Resources agreed to give Mrs. Nash the hearing she had previously been denied. Then Georgia took another tack, saying that the culprit—if there was one—was the Department of Defense. So the state signed a document and sent the case to federal arbitration. Three months later, the Department of Health, Education, and Welfare (the federal agency responsible for convening the arbitration panel) looked at the case and ruled that Georgia had erred by not holding the state-level hearing. So the case went back to Georgia where, in late October, a full-blown hearing took place.

The decision we got was what we expected—Georgia ruled in its own favor, not for Jessie Nash; so we filed with HEW, this time having cleared away all roadblocks to a swift arbitration—or so we thought.

We soon learned to the contrary. You see, there had never before been an arbitration proceeding involving a blind vendor grievance, so the folks at the federal Office for the Blind and Visually Handicapped had not yet worked out the procedures. Also, there was continuing pressure from state officials in

Georgia who requested that no arbitration be convened; they argued that the complaint was filed for purposes of harassment. Some harassment! After all, Jessie Nash was put out of her job through no fault of her own. One wonders what the State of Georgia would consider a legitimate grievance.

So far this argument has not gone very far at HEW, where it was finally announced that an arbitration panel would be convened under the authority of the Randolph-Sheppard Act. As matters now stand, Georgia officials continue to maneuver to block the arbitration, questioning HEW's authority to force them to take part and stating that Georgia may not "elect to participate."

This position is a frontal assault on the arbitration provisions of the Randolph-Sheppard Act. The stage is now set for a tug of war between the federal government and the State of Georgia. One year ago, when we embarked on the long legal process on behalf of Jessie Nash and all blind vendors in this country, we said that the outcome would be precedent-setting; but little did we know the full dimensions. Today this case has developed into a major confrontation involving the rights of all blind vendors in this country. The Nash case is one that we must win. There is no turning back now.

To listen to the agency people in Georgia, you would think they have the finest vending program anywhere; but the blind know well the hollowness of these custodial platitudes. The question we must ask ourselves is. How many other states are watching to see what happens in Georgia? The answer is not hard to find, and the challenge before us is clear. The blind could say about this benevolent Georgia agency what Stephen Vincent Benét said about Georgia booze: "It eats the soles right offen yore shoes, for Hell's broke loose in Georgia." □

AN OPEN LETTER TO DIRECTORS OF AGENCIES SERVING THE BLIND CONCERNING N.A.C. AND ITS ACCREDITATION PRACTICES

The purpose of this letter is to provide information about the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (NAC)—information we hope will cause you to consider seriously whether NAC accreditation is the way to achieve or maintain high standards of service within your agency. The information is presented to you by the National Federation of the Blind, the nation's largest consumer organization of the blind themselves. Because the Federation has been the collective voice of the blind for nearly 40 years, and because in that time we have been associated with most of the advances in programs and civil rights for the blind, we feel that we can speak about "quality services" with some weight. Yet because we have been at odds with the National Accreditation Council for more than ten years, and because our efforts to reform NAC have led NAC's officers to characterize the Federation, among other things, as the "negative forces of misguided, counterproductive elements," some agency directors have come to regard the NFB as just one side in a political struggle.

Recognizing that this intense controversy has tended to call into question the objectivity of both NAC and the NFB, this letter will rely as little as possible on judgments. It will concentrate on evidence from sources outside of the Federation—from court judgments, from federal investigations, and from people in the field unconnected with the NFB or NAC. This sort of evidence has been piling up for a number of years. We believe there is no longer a question about the worth and purpose of NAC accreditation.

It will be necessary to provide a context for the information we wish to present; and it will be necessary to make a number of judgments in order to do so. These judgments—particularly those relating to events and trends now some ten or more years in the past—could be supported as amply as

more recent events. We shall not do so, since one of our purposes here is to state the case briefly. The past, except as a general background, is unnecessary to prove our case. Discount our judgments if you wish to; the events of the last few years speak clearly, and they are verified by evidence that cannot be discounted.

Background

It is generally accepted that the last 50 years have seen a revolution in attitudes toward the blind. Before that—stretching back through history—there was an unquestioned belief that the blind are helpless, suited only for custody in special institutions or, at best, for work in a few handicraft trades (such as chair-caning and broom-making) or the simple, repetitive tasks performed in the traditional sheltered workshop.

This view of blindness now is recognized by most people as limiting and obsolete. With the development of alternative techniques to overcome a lack of sight, the blind have emerged from their age-old isolation and joined the mainstream of society. The trend toward emphasizing ability rather than disability took some getting used to, but gradually most of those in the field of work with the blind embraced it. Certainly the blind welcomed a philosophy that freed them from their rocking chairs and asylums.

But as happens when any major change in attitudes occurs, there was opposition to the new philosophy of blindness. This was a remarkable thing: Why should those who had devoted their lives to helping the blind resent the progress of the blind toward independence and full participation? The answer is a very common and human one. Some professionals were unable to see beyond their financial and psychological investment in the status quo.

Within the last five years, a questionnaire was distributed to the administrators of sheltered workshops in the country. Near the end appeared the question: "Do you find that your blind clients are less grateful today for what you are doing for them than they were ten years ago?" This is the psychological investment in a nutshell. A few decades ago, an agency director put it a different way when he said: "To dance and sing, to play and act, to swim, bowl and rollerskate, to work creatively in clay, wood, aluminum or tin, to make dresses, to join in group readings or discussions, to have group entertainments and parties, to engage in many other activities of one's own choosing—this is to fill the life of anyone with the things that make life worth living."

In answer to this, Jacobus tenBroek, founder of the National Federation of the Blind, replied: "Are these the vital channels of self-expression for you? Are these the indispensable ingredients that make life worth living? Or are these only the minor and peripheral touches that lend variety to a life well-filled with more substantial things—such as a job, a home, and the rights and responsibilities of citizenship?"

Some professionals understandably felt that the blind were biting the hand that had fed them for centuries. The blind didn't see it this way; they felt that an establishment had grown up that fed on their dependency, that *depended* on their dependency.

The financial investment of some professionals in the old attitudes is even easier to understand. Work with the blind has long been a place for wealthy philanthropists to direct their contributions and their friends and cousins. Salaries for blindness professionals are high, the emotional rewards are great, the public acclaim for those who enter the field gratifying.

A typical case is the traditional lighthouse or sheltered workshop. Blind workers even today may be paid as little as 25 percent of the minimum wage. Shop managers, on the other hand, are usually paid generous salaries and work with excellent security and in comfortable conditions. Often a good deal

of social recognition goes along as an added benefit (if only in the social mixing with the wealthy who support the lighthouse). But when the blind begin to discuss extending minimum wage laws to the shops, or talk about unions, or demand places on the shop board of directors, it is seen by management (and rightly so) as a threat to their traditional perquisites.

This fear of change and resistance to new attitudes was widespread in the 1940's, at the time of the founding of the National Federation of the Blind. But it has largely died away as professionals saw the stunning results of the new ideas. As the blind gained access to education, to the common callings and professions, it became obvious that work with the blind could be a much more positive and truly rewarding endeavor than it had been in the old days of custodialism.

To some, though, this whole trend was a pill so bitter that it could not be swallowed. The agency with the greatest investment—both financially and psychologically—in the old system was the venerable American Foundation for the Blind (AFB), a New York agency that came close to dominating the field in the early part of this century and which had amassed vast financial resources as a result of its pre-eminence. It was involved in some of the early advances in technology for the blind; it virtually owned Helen Keller (it has used her name to raise millions and millions of dollars); in Congress and literally around the world, the AFB was regarded as the ultimate authority on blindness.

As the Federation grew (concurrent with the change in public attitudes toward the handicapped), the American Foundation's domination of the field declined. But unlike most of the other traditional agencies, the Foundation was unwilling to adapt itself to the new situation. It resisted the notion that blind people could speak for themselves; indeed, it labeled their insistence on doing so a form of neurosis growing out of their blindness. Gradually, professionals and agencies in the field who, for whatever reason, found the new independence of the

blind inconvenient looked to the Foundation for support. The American Foundation for the Blind became a bastion of the old-style custodialism.

The Origins of NAC

This division in the field and the Foundation's waning prestige led to the establishment of the National Accreditation Council.

In the early 1960's, the AFB announced the formation of a Commission on Standards and Accreditation for Services for the Blind (COMSTAC). Later this became the National Accreditation Council. The ostensible reason for COMSTAC and NAC was laudable enough. As expressed in 1976 by Louis Rives, Jr., NAC's current president, this was as follows:

"The standards and accreditation system of which NAC is the voice came from within the field—from the experience of blind people, from government and other suppliers of services to blind people, and from the public which supports agencies and schools for the blind. All agreed there should be some objective way to determine whether an agency or school is doing a good job. In 1967 they joined in creating NAC to provide this objective determination through a voluntary system of accreditation."

The broad consensus Mr. Rives refers to is a public relations fantasy. The American Foundation for the Blind believed it already represented such a consensus; NAC was an attempt to impose the AFB's views on the rest of the field.

There were no open forums to develop standards. Meetings were held that were advertised as having this purpose; but those who attended were handed standards that had been formulated beforehand. Criticisms of this procedure and the standards themselves were ignored. Indeed, those who were thought to be hostile to the AFB were turned away at the door. (In 1973 the NFB prepared three publications documenting the early history of NAC. These are available to anyone who wishes to explore the matter further.)

The origins of NAC, the makeup of its board of directors, and the trading of staff between NAC and the AFB make NAC's claim to represent an objective consensus untenable. Even without all this, NAC's financial history removes all doubt in the matter. In 1968, according to NAC documents, \$70,000 out of a projected budget of \$154,034 was to come from the AFB; most of the rest came from a \$75,000 grant by the U.S. Department of Health, Education, and Welfare. In succeeding years, particularly after HEW cut off its funding, the AFB increased its contributions to make up for other losses of income. In fiscal 1977 (according to the NAC Annual Report), out of total income of \$301,962, the AFB provided \$188,000.

Nor has the Foundation's support been limited to direct grants. When a small band of NFB members broke away in the early 1960's to form the American Council of the Blind (ACB), the Foundation courted the group, spurring it to attack anyone who questioned the value of NAC accreditation. More recently the Foundation began making direct grants to the ACB. Immediately after these grants began, the ACB's magazine, the *Braille Forum*, began printing NAC-originated attacks on the National Federation of the Blind. ACB staff members have been put on the boards of NAC and the Foundation.

During the early years of NAC, despite Mr. Rives' statement about "voluntary" accreditation, the blind witnessed a variety of attempts by the AFB to pass legislation or guidelines at both the state and federal level to condition government funding on NAC accreditation.

Concerning the NAC standards themselves, at first all that could be said was that they placed an overwhelming emphasis on ensuring that agency staff would enjoy job security and their traditional privileges. The standards were also concerned with the details of the agency's bureaucratic structure. The agency's effect on its blind clients—on whether they were being prepared for independent participation in society—was

a secondary, and apparently irrelevant, consideration.

Irrelevant as the NAC standards were to the real concerns of blind people, it soon became clear that they were irrelevant for another reason. It became clear that NAC accreditation did not depend on an agency's adhering to the standards. Our reasons for concluding this are discussed later; but there is no reason to doubt that it is so: NAC officials concede the point.

At the NAC annual meeting held in November 1977 in Phoenix, an observer asked about the discrepancy between the practices of accredited agencies and the language of the standards. Wesley Sprague, chairman of NAC's Commission on Standards, replied that "every agency has—when they're reaccredited or accredited—has to abide by the standards of the various sections as pertain to them." But then Richard Bleecker, NAC's executive director, interrupted to explain:

"Excuse me as I may add a postscript to the answer. I want to be complete in responding to Mr. Parker. And I would love nothing more than to concede the correctness. However, I must point out that not every accredited agency is able to meet every standard. And meeting every standard is not a precondition to accreditation. In fact, no accredited agency as yet meets every standard. Accreditation and standards are a direction, and it's a process of improvement. To be accredited, the agency must either meet the standards or have an awareness and commitment to attempt to meet them."

To which we would simply add that if the "precondition" to accreditation is only a "commitment to *attempt* to meet" the standards, accreditation becomes meaningless.

The Decline of NAC

What must an agency do, then, to gain NAC accreditation? It must give public support to the American Foundation for the Blind and NAC or some of the agency's directors must also be members of the AFB or NAC boards. To understand why NAC

would adopt such a practice (and we believe the fact that it has will not be in question by the end of this letter), we must look at the setbacks NAC has received in the last few years.

At first NAC accomplished a respectable number of accreditations each year. In 1970 (the year NAC had its highest net gain), 16 agencies were added to its list. At that time NAC had high hopes of continuing this rate of growth. According to a 1974 report on NAC by the U.S. General Accounting Office (GAO): "During the SRS team visit in March 1973, NAC told the team its fiscal year 1978 projected budget was \$379,000 and an estimated total of 200 or about 50% of the approximately 400 organizations serving the blind and visually handicapped would by then be accredited."

Yet even when this statement was made, professional and agency support for NAC was dropping away. In fiscal 1975 the net gain was four agencies; in fiscal 1976 it was five; and in fiscal 1977 it was only three. Thus by the end of 1977, instead of nearing its projection of 200, NAC had only 67 accredited agencies. (We use the term "net gains" because during this period several agencies made the decision not to renew their accreditation when it expired.)

Another setback occurred in 1973 when an ad hoc committee of the American Library Association's Round Table on Library Services to the Blind stated: "It is the consensus of the committee members that the NAC standards as they pertain to library service for the blind are no longer relevant." Following this, NAC withdrew its library standards and no longer accredits libraries.

A major setback was the loss of HEW funding, which in the early 1970's accounted for roughly half of NAC's budget. The GAO report discusses the termination of the grant that provided this funding: "The Director, Division of Project Grants Administration, SRS, told us that the NAC grant was recommended for phase-out in 1975 by the Division of Project Grants Administration because of:

—NAC's poor performance record;

"—Low acceptance of NAC accreditation by blind agencies.

"—A low cost-benefit ratio."*

NAC-Accredited Agencies

We now turn to an examination of a few of the agencies determined by NAC to be providing quality services to the blind. Our general thesis is that the test of an accrediting system is not its public statements but the programs it approves. In choosing examples we have focused on agencies whose problems go beyond differences of philosophy.

In 1972, the blind of Florida received services from the NAC-accredited Bureau of Blind Services (this has now been reorganized into the Office of Services for the Blind). It was the state licensing agency for the federal Randolph-Sheppard program (under which blind persons have a priority to operate vending facilities on federal property). As the state licensing agency, the Bureau had responsibility for managing the

support services for the vending facilities, a number of which were located at Cape Canaveral.

A state licensing agency may take (or "set aside") a portion of vendors' earnings for certain purposes that are narrowly defined in federal law. These include (1) maintenance and replacement of equipment; (2) purchase of new equipment; (3) management services (in other words, the payment of the salaries of stand supervisors); and (4) assuring a fair minimum return to other operators. The law makes it clear there may be no exceptions to these categories, and it says that the "set aside" must be "reasonable." In Florida, the Bureau determined that it was reasonable to take 6½ percent of the vendors' gross profits. If a vendor were making a net profit of about 20 percent, this set-aside would amount to one-third of his income.

But in 1972, it emerged that the Bureau of Blind Services was withholding another five percent of gross profits from the vending

*This GAO report, made in response to a request from Congressman John Brademas and published in September 1974, has been talked about widely by NAC and represented as clearing NAC of all the criticisms brought against it. As will be clear from the few portions already quoted, the report simply recounts what GAO investigators were told by the people they talked to. The GAO found no financial malfeasance—which is all that an "accounting office" can determine—but then no financial wrong-doing had been alleged. The problems with NAC have nothing to do with accounting.

Two other occurrences from this period (1973-1975) are also represented by NAC officials as absolving it from criticism. One is an HEW study done in 1973, the other is a statement inserted in the *Congressional Record* by Congressman Brademas. The HEW study was made by a panel heavily weighted toward NAC. One of the panel members was Louis Rives (now president of NAC and even then a strong partisan of the agency). Another member was Arthur Korn, who had been involved in the organization of COMSTAC, NAC's predecessor.

The circumstances surrounding the Brademas statement speak to NAC's credibility. Speaking in July 1975, NAC executive director Richard Bleeker said: "You may remember Congressman Brademas as the one who called on the U.S. General Accounting Office, the official investigative arm of the Congress, to make a thorough study of these charges and accusations [against NAC], a study which, as you know, did not sustain them. Since then, Mr.

Brademas has been looking with great care at this whole thing to see what the fuss is all about. And, I am pleased to report, he has recently inserted a statement in the *Congressional Record* that uncompromisingly recognizes NAC as a responsible and effective standards-setting, accrediting body."

However, when the Federation contacted Mr. Brademas' office, we learned that the statement in question had been prepared by NAC and that Mr. Brademas inserted it in the *Record* as a courtesy gesture. As Mr. Brademas himself later wrote: "I am troubled to learn that my insertion of a report of NAC's programs has been construed as singling out for recognition of NAC's accreditation process. Rather, I intended my statement and the report of NAC's work to be included in the *Congressional Record* as information for those interested in standards for agencies that serve visually handicapped people."

Finally, NAC relies heavily on the fact that the U.S. Office of Education has NAC on a list of "Nationally Recognized Accrediting Agencies and Associations," list which includes accrediting bodies for everything from embalming to landscaping. Yet in the summer of 1976, when NAC applied for a grant from the Bureau of Education for the Handicapped—the section of the Office of Education with expertise in blindness—the proposal was rejected. All of these instances show what is generally recognized in any event—that approval or disapproval by the government is a political process and that most government "reports" have in them something for everyone.

operations at Cape Canaveral (or about another 20 percent of net profits) and transmitting this money to the recreation fund of the Cape's sighted space workers. When the local newspapers publicized this illegal additional set-aside, the Bureau stopped withholding it. This, however, was just the beginning. The stand supervisor then went to the vendors with a consent form authorizing the Bureau to withhold two percent of gross profits. When one of the vendors refused to sign this, he was told he would lose his vending stand. The vendor, James Parkman, went to court.

At this point the Bureau changed its mind. The suit was dropped after the Secretary of the Department of Health and Rehabilitative Services (of which the Bureau was a part) issued the following directive:

"(A) There shall be no approach of any kind whatsoever to any blind person working in the vending stand program by any employee or agent of the Bureau of Blind Services, including any blind person working in the vending stand program, regarding contributions to the NASA Exchange Council or to any other organization, group, or fund of any kind except for standard practices such as asking state employees if they would consider contributing to the United Fund or participating in group insurance.

"(B) There shall be no action taken by the Bureau of Blind Services, its agents, or employees, including blind persons working in the vending stand program, adverse to the interest of any blind person working in the vending stand program because of his refusal to contribute to any organization, group, or fund, including, but not limited to, the NASA Exchange Council, United Fund, group insurance, nor shall any such refusal be considered in any manner by Bureau of Blind Services with regard to any action adverse to the interests of any blind person working in the vending stand program, including, but not limited to, transfer and termination."

The practice that this directive ended indicated an insensitivity to the rights of the blind vendors. It also, of course, worked a

severe financial hardship on them. The blind of Florida considered that it was not an example of "quality service." Whether it was or not, it undoubtedly was a violation of federal law. Throughout this time, the Bureau of Blind Services was accredited by NAC. Despite the Bureau's violation of the law and its coercion of the blind vendors to stifle their complaints, the agency was judged by NAC to be maintaining a high standard of service.

The case of the NAC-accredited Cleveland Society for the Blind is similar to the one discussed, but it goes much further.

In the early 1970's, the Cleveland Society was the so-called "nominee agency" for the Randolph-Sheppard program in Ohio (that is, the state licensing agency contracted with the Society to manage the vending program). Each year the Cleveland Society received a part of its operating budget from the United Torch Services.

The problems with the Society's management of the vending program began to come to light in the fall of 1972, when Cleo Dolan, executive director of the Society, sent a memorandum to the vendors stating that "we are anticipating and expecting the [snack bar] managers to participate in the United Torch Service campaign at the same degree as our regular staff persons. . . . We have tentatively agreed among all of us who are so vitally involved in the United Torch Services campaign this year, that any gifts less than one-half of one percent of the total earnings of a worker would not be an acceptable pledge." Once again, we point out that this $\frac{1}{2}\%$ was of gross earnings, or several times that in net earnings.

When the vendors protested the peremptory tone of Mr. Dolan's memo, he wrote back, saying: "We are concerned that we have undoubtedly not provided sufficient strong administrative guidelines and have attempted to involve those who are employed to a greater degree, which apparently has weakened our program."

Mr. Dolan concluded by stating: "Again, I personally doubt that you failed to get the message that we were attempting to com-

municate, and I think your interpretation was correct. Namely, we do feel strongly about the support of the United Torch Services and we doubt that further elaboration on the reasons should be necessary to this particular group."

Earlier we discussed the amounts that may be "set aside" by an agency administering the Randolph-Sheppard program. Shortly after these memos from Mr. Dolan, the Cleveland Society began deducting an additional set-aside which it called a "service charge." At this point the vendors hired a lawyer and began looking into the Society's management practices. The result was a lawsuit claiming that the Society had, over the years, withheld funds in excess of \$1 million "for purposes other than those permitted by the Randolph-Sheppard Vending Stand Act."

This was not the only irregularity found in the Society's management of the vending program. In order to operate a vending facility, a blind person had to sign a contract granting the Society the right to summarily terminate his or her job if the Society decided the vendor had violated any of the contract's terms. These terms covered such matters as diet, dress, bathing habits, use of body deodorants, changes of underwear, and nightly sleep—most of them in such discretionary terms that the vendors were at the complete mercy of Mr. Dolan. Nothing in the Randolph-Sheppard Act gave the Society the authority to require such a contract, and this too was made part of the vendors' lawsuit.

The federal court has yet to rule on the issues in this suit (there have been delays involving jurisdictional matters), but the evidence caused the State of Ohio to terminate its contract with the Society to manage vending stands on state or federal property.

The National Accreditation Council, however, took no action at all. Despite the evidence of illegal conduct and, far worse, gross insensitivity to the human dignity of the blind vendors, NAC continued to regard the Cleveland Society for the Blind as an example of "quality service." It is no

coincidence that at that time Cleo Dolan was a member of the board of trustees of the American Foundation for the Blind.

A more blatant example than either of these is the Minneapolis Society for the Blind. As part of its program the Minneapolis Society operates a sheltered workshop for the blind. The Fair Labor Standards Act allows such workshops to pay a blind employee less than the statutory minimum wage if it is shown by a work evaluation that he or she produces less than a sighted worker laboring in the same conditions.

In 1974, a blind man (Lawrence Kettner) was put through such a work evaluation by the Minneapolis Society. The Society did not know that Mr. Kettner had already been hired by a private company at a rate above the minimum wage and was only seeking temporary employment in the Society's workshop until his other job began.

Mr. Kettner was evaluated over a period of 14 days; but time studies were made only on the third, fourth, sixth, and eighth days of the period. His duties were changed—thus it was difficult for him to develop proficiency in any one task. The equipment available to him had breakdowns—although he was being measured against sighted workers using functioning equipment. Finally, there were delays in receiving supplies—yet this was not taken into account by the evaluators. Still, Mr. Kettner's productivity increased markedly between the time studies (from 42% of normal productivity to 79%), stressing the gross unfairness of placing the time studies near the beginning of the evaluation period.

Mr. Kettner was then asked by the Society to sign a minimum-wage waiver indicating that he was capable of only 75% normal productivity. When he resisted, he was told he would sign or receive no pay for the work he had done in the workshop. Needing the money (and with another job already arranged), Mr. Kettner gave in.

This incident was investigated by the U.S. Department of Labor, which issued a finding that the Society had violated the

regulations promulgated under the Fair Labor Standards Act.

Once more, here is a violation of the law that is not simply a matter of technical detail. The violation was committed in order to benefit the agency's administration at the cost of tangible damage to blind clients. The matter was brought to NAC; but the Minneapolis Society for the Blind remained an accredited agency.

This was just the beginning. During this same period, the Minneapolis Society decided to build an addition to its workshop. The contract for mechanical work was awarded to a firm owned by the man who was both president of the Society and chairman of the building committee. Although this was widely reported in the Minnesota press, once again NAC took no action to suspend the Society's accreditation.

Reacting to such abuses as the Kettner case, a number of blind persons in Minneapolis decided to seek a voice in the Society's operation. The board of the Minneapolis Society was elected at an annual meeting by the members of the Society. The Society raised funds through mail solicitations, and anyone who donated a dollar or more automatically became a member. So these blind Minnesotans joined the Society.

The Society reacted by expelling all of the members, limiting membership (and thus the privilege of electing the board) to the board members themselves. This action was beyond the board's authority under the articles of incorporation. Not to be stopped by this, the board now came forth with an amendment to the articles which it said had been passed in 1966. This amendment granted the board the power to make further amendments. To be valid, such amendments must be filed with the Secretary of State of Minnesota. The Society board claimed that although their amendment had been passed in 1966, it was not filed with the state until 1972 due to a "clerical oversight."

When the blind persons who had been expelled began discussing a lawsuit, the

board members realized they had been too hasty. The board reinstated the membership (although no new members were allowed to join). They also enrolled (without being requested to do so and without collecting any fees) all the members of several large community organizations (the Kiwanis Club, the Council for Jewish Women, etc.). They then called one last membership meeting to gain approval of their expulsion of the membership. The blind who wanted to join were not even permitted to attend as observers. They went to court instead.

The court, ruling in July 1977, declared all of the Society's actions to be violations of state law and rescinded them. The judge stated:

"The only reason, therefore, to terminate membership on April 19, 1972, was to eliminate the criticism of the Society by the plaintiff members and to preclude them from increasing their voice in the membership. Membership termination was a subterfuge for expulsion of the plaintiffs without having to comply with reasonable procedures for expulsion."

The judge went further: "At a time when the evidence clearly reflects the need for active and concerned board leadership, the Society blatantly rejected the services of those who had the greatest knowledge of the feelings of the blind and who had progressed the furthest in overcoming the harsh realities of their handicap. In so doing, the defendant violated Minnesota [state law]."

This matter also was brought to NAC's attention. NAC took no action of any kind. It is no coincidence that a member of the Minneapolis Society's board—Raymond Kempf—is also a member of the NAC Board.

Consumer Participation

These examples—the Florida Bureau of Blind Services, the Cleveland Society for the Blind, and the Minneapolis Society for the Blind—speak to the standard of administrative regularity to be expected in a NAC-accredited agency. NAC also asserts that its accredited agencies must have a high degree

of consumer participation. (At the 1977 NAC annual meeting, board member Reese Robrahn stated that NAC is unique in the field of accreditation due to this insistence on consumer participation.) Considering that the Minneapolis Society was willing to violate state laws—according to the judge—for the sole purpose of excluding consumer participation, some may wonder how NAC defines the concept.

The NAC concept of consumerism is seen more clearly in the events that occurred at the NAC-accredited Chicago Lighthouse for the Blind. The Chicago Lighthouse manages a large sheltered workshop operation. In 1976, its shops were the subject of a landmark ruling by the National Labor Relations Board (NLRB). Previously, such shops were excluded from the protections of the National Labor Relations Act on the theory that they were rehabilitation programs rather than business operations. In 1976 the NLRB reversed this position (on the simple evidence of the large profits of such "rehabilitation" programs) and ordered a union election at the Lighthouse.

The National Federation of the Blind, reacting to the abuses of the blind workers, had been involved in this NLRB decision. (As an example of the sort of thing we objected to, the Lighthouse created two categories of workers: Sighted workers (who were called "workers") received the minimum wage and generous fringe benefits. Blind workers (who were called "clients") received, in general, less than the minimum wage and no fringe benefits. In many cases there was no difference between the duties of "workers" and "clients."

Although about 85 percent of the shop-workers had signed union pledges before the NLRB ruling, when the election was held the workers voted against a union 68-50. This change of sentiment, it seemed clear to us, was due to the campaign of intimidation carried out by the Lighthouse management. Even before the election was held, the principal union organizer was fired. The management worked to convince the blind workers that a union would mean the end

of their jobs and the closing of the shop. (A charge of unfair labor practices brought by several of the workers was not accepted by the NLRB, but it is indisputable that today all of the blind persons who labored to organize a union have been fired or laid off, as have many of those who voted for a union.)

The Federation considers this series of events an indication that the Chicago Lighthouse did not maintain a high standard of service to the blind; but it is brought up here for other reasons: It was one of the first times it became clear that NAC was actively involving itself in the internal affairs of an agency it was also purporting to be an objective judge of. At the 1976 annual meeting of NAC, Fred McDonald, the executive director of the Lighthouse, made the following statement:

"I want to publicly thank Dick [Richard Bleeker, executive director of NAC] and NAC for what they did to help me in Chicago at a very, very troubled time. As you know, I took over there as the new director of the Chicago Lighthouse just a year ago the first of December; and at that time we were under considerable fire from the NFB and, on top of that, from a labor union."

Whether or not you feel that blind shop-workers deserve the legal protections that are extended to sighted workers, it is surely unheard of for an accrediting agency to become directly involved in the affairs of an agency it accredits. Such a practice destroys even the semblance of the objectivity that must be the dominant characteristic of accreditation.

Returning to the question of consumer participation, it appears to have been at the instigation of Richard Bleeker that the management of the Lighthouse decided to organize its own "consumer organization"—made up of blind Lighthouse staff members. The inference is not far-fetched. At the 1976 NAC annual meeting, Fred McDonald referred to a demonstration planned by the Federation to protest the firing of the union organizers. He said:

"Our friends downstairs, when they arrive in Chicago on Friday, are going to have a greeting committee of about another 100 blind people that are going to be carrying placards that say 'We speak for ourselves; NFB does not speak for the blind of this country.' And again, the base of this support has come right from Dick's meeting with our board in Chicago; and this was very, very important help."

This "consumer group" was formed by the Lighthouse and named, ironically, the "Independent Blind of Illinois." Its president, Dennis Schreiber, is a Lighthouse staff member. Since then Dennis Schreiber has been active. As an example of his activities, a blind federal employee delivered a speech in California. This blind man began by stating that his views were his own, and that he was not speaking for the government. Some days later, the head of the agency employing this man received a letter from Dennis Schreiber, writing as president of the Independent Blind although the letter was on the stationery of the Chicago Lighthouse, and suggesting that the agency take action against its employee. The revealing point was that in his speech this blind man had criticized not the Chicago Lighthouse, but the American Foundation for the Blind.

At NAC's 1977 annual meeting, Dennis Schreiber carried this further, suggesting:

"I am asking you to send telegrams to Governor Robert Ray of Iowa and Acting Governor Blair Lee [of Maryland], State Capitol, protesting the harassment, attempts at intimidation, and an attempt at the complete destruction of the National Accreditation Council. If we can get 100 telegrams on the respective desks of these Governors from all over the country, we will make these Governors wonder what is Kenneth Jernigan and Ralph Sanders trying to do."

At the time Ralph Sanders was president of the National Federation of the Blind and an official in Maryland's programs for the blind. Kenneth Jernigan was the immediate past president of the Federation and an Iowa state official.

Perhaps the officers of NAC and the Lighthouse would explain this example of "quality service" by saying that because the NFB has made strong efforts to reform the National Accreditation Council, NFB officers—both present and past—deserve to lose their personal livelihoods. Even if one were to accept such a justification, it seems obvious that NAC has put itself in a position where it is impossible to judge the Lighthouse's program objectively. How could NAC officials take an objective view of activity they themselves had instigated?

Activities Other Than Accreditation

There might be some justification for interference that sought to upgrade the programs of an accredited agency. This was not the case in Chicago. In that instance, and in enough others to form a consistent pattern, NAC began to take retaliatory action against those who were less than whole-hearted in their partisanship. At its last two annual meetings, NAC officials have railed against those they regard as "counter-productive elements," and they announced plans for "dealing decisively with these hostile elements."

This retaliatory activity became the province of a group called the "National Committee for the Advancement of Standards" or NCAS. At the 1977 annual meeting the NAC Board elevated the NCAS to the same level as its Commission on Standards and Commission on Accreditation and projected that this new area of activity would be increasing.

Even before the NCAS was formally organized, NAC had been moving in this strange new direction. One of the better documented examples concerns the National Council of State Agencies for the Blind (NCSAB), an organization of directors of state agencies serving the blind.

During 1975, the members of the NCSAB began questioning the organization's official position as a supporter of NAC. Finally the organization voted to withdraw that support pending meaningful reform of NAC.

The next chapter occurred in February 1976 at a meeting of the Council of State Administrators of Vocational Rehabilitation (CSAVR). A small group of directors of NAC-accredited agencies convened an unauthorized meeting of the NCSAB. Present at the meeting were NAC president Louis Rives and NAC executive director Richard Bleecker. The group voted to declare that this was an official NCSAB meeting. They further voted to declare the office of NCSAB president-elect vacant, and they then chose one of their number (James Carballo) to fill the "vacancy."

Nor did they stop at this. With Richard Bleecker suggesting ways to do it, the group began changing the NCSAB bylaws. At Louis Rives' suggestion, they also voted to resume NCSAB support of NAC. As Robert Pogorelc, the actual president of the NCSAB, later wrote: "If the NAC executive director is responsible for involvement in the 'politics' of private and/or public organizations in the field, in order to further the cause of NAC, I believe that this fact should be published."

In a later letter, to NAC president Rives, Mr. Pogorelc was more definite:

"[1]t is ridiculous for anyone to pretend that NAC has conducted itself in such a manner as to serve as a high model for accuracy, fairness, decency, openness, and propriety. The fact of the matter is that NAC has, in its relations with the NCSAB, frequently conducted itself in a manner such as to present, at least in my mind, very serious questions as to appropriateness, propriety, and ethics. Perhaps some may wish to deny that NAC has frequently, through covert tactics in which representatives of state agencies have been provided inaccurate and misleading information outside of the spotlight of a public meeting, injected itself into the internal affairs of the NCSAB. I very seriously doubt, though, that those denials would have very much credence with state agency representatives who have witnessed or been exposed to the process."

After this meeting, James Carballo* began taking action as "president-elect"; he called yet another unauthorized meeting of the NCSAB. The actual NCSAB sought a judicial restraining order. A Mississippi court (Mr. Carballo lives in Mississippi) granted the order, enjoining "James Carballo from holding himself out as the president-elect or president of the [NCSAB] and further, from representing to members of the National Council of State Agencies for the Blind and other interested persons that the unauthorized alleged annual meeting of the NCSAB scheduled for September 20, 1976, in Hollywood, Florida, is a valid meeting under the bylaws of the NCSAB"

This court order did not deter NAC for long. The next legally constituted NCSAB meeting was scheduled to be an election. The NAC-AFB group let it be known (and this was later publicly admitted at the meeting) that travel expenses were available to NCSAB members who supported NAC. As a result, many who had previously taken no

*James Carballo is the director of Mississippi's Vocational Rehabilitation for the Blind, an agency accredited by NAC. An audit of the agency completed by the Department of Health, Education, and Welfare in late 1977 provides a clear example of what NAC considers "quality service." According to the *Jackson Capitol Reporter* of December 1, 1977: "The audit, a copy of which was secured by the *Capitol Reporter*, reveals that out of 138 blind rehabilitation clients randomly selected by the HEW auditors, only one had finally been placed in a job in the competitive market. Even then, the audit showed, the one blind person had to take a job as a clerk, whereas she was trained to be a special education teacher.

"Out of 526 blind persons the state agency had shown as rehabilitated in fiscal 1976, the audit shows, almost 85 percent were making less than \$2.50 an hour and most were making less than the minimum wage.

"The state agency, according to the audit, violated federal regulations by using Social Security trust funds, Supplemental Security Income funds, income derived in part from use of federal funds, income from vending stands operated by the blind, and 'contributions' from vendors paid in part with federal funds to match federal funds."

Mr. Carballo's part in the NCSAB affair and the results of this HEW audit taken together are a clear paradigm of NAC accreditations: NAC provides its seal of approval to a substandard rehabilitation program; in return the agency publicly supports NAC (or, as in this case, goes a good deal further).

active part in the organization turned up for the election, which—understandably—produced some officers favorable to NAC. The efforts by NAC to dominate the NCSAB have continued unchecked.

The pattern was continued when NAC began to organize attacks against agencies whose only offense was *not* to seek its accreditation. This came to light when the Youngstown (Ohio) Society for the Blind decided to seek accreditation from the Council on Accreditation of Rehabilitation Facilities (CARF) rather than NAC. Immediately the Youngstown Society found itself under attack.

The Federation first became aware of this when our Washington, D.C., affiliate met with Charles Fegan, the director of the Columbia Lighthouse for the Blind. The Columbia Lighthouse at this time was considering whether to renew its NAC accreditation. Mr. Fegan was explaining to a public meeting that he did not regard himself a partisan of NAC. To illustrate this, he said he had not complied with a request that he write to the director of the Youngstown Society, opposing its decision about NAC. When he was asked who suggested that he write such a letter, Mr. Fegan demurred, perhaps realizing that he had already said too much, considering the consequences that had been visited on others who publicly criticized NAC. In the circumstances, no answer was necessary.

It is important to remember that at this very time the Columbia Lighthouse was weighing the merits of re-accreditation. The request from NAC had the double purpose of harassing the Youngstown Society and reminding the Lighthouse of what would attend a decision not to renew its accreditation.

A month earlier, in March 1977, Cleo Dolan, executive director of the Cleveland Society for the Blind, wrote a memorandum to one of his subordinates, which read in part:

"As you know, we have long understood that the Youngstown Society for the Blind was planning to be accredited by CARF

rather than by NAC because of the pressure from the NFB group. This is in spite of the fact that CARF has never accredited an agency for the blind, nor do they have standards for such areas as mobility and home teaching services. It is further our understanding that the Youngstown Society is proceeding with the approach that CARF standards, as they must be accredited by July to comply with the RSC policies. [sic]

"In light of the above, it is our belief that we should start 'winding down' our relationship with the Youngstown Society for the Blind. It is recognized that we have funneled the Radio Reading Program state support through the CSB [the Cleveland Society] and had planned on several other cooperative working arrangements pertaining to the Radio Reading Service—including sharing a WATS line. However, if they are anticipating 'deserting' the field of work with the blind, then it is our belief we should react the way NFB has advised their membership and are causing Youngstown to react accordingly. In other words, if they choose to be accredited under CARF standards, then we will request that no further cooperation or assistance be afforded the Youngstown Society for the Blind from any of the staff of the Cleveland Society for the Blind. We will want to sever all communication and relationship in the same manner in which it has been recommended that they react with accredited agencies, since they are willing to follow the dictates and policies of NFB.

"For these reasons we would like to have you clean up all the outstanding obligations they have in relation to the Radio Reading Service so that all bills can be paid and we can make a clean break in our relations at the time their final decision is made with reference to accreditation."

Federation members in Youngstown encouraged the Youngstown Society's decision. Needless to say, they had no tool of coercion to equal Mr. Dolan's, nor would they have used it if they had. Mr. Dolan equates failing to seek NAC accreditation with "deserting the field of work with the blind."

For him it is reason enough to attempt to cripple the radio reading service for blind persons in that part of the state served by the Youngstown Society.

These actions were mild compared to others that NAC was carrying out at the same time. Kenneth Jernigan, longtime president of the NFB, took part in the formation of a private business, the National Eye Care Association (NECA). NECA's purpose was to promote prevention of blindness through a program of eye care. One of the benefits of the program was insurance against accidental blindness. The program was to be available to the public through sponsoring optometrists.

The officials of NAC saw an opportunity to inflict personal damage on a man who had opposed them. With the help of Jesse Rosten (executive director of the Minneapolis Society for the Blind), Loyal Apple (executive director of the American Foundation for the Blind), and a few others, NAC staff members tracked down and made contact with the sponsoring optometrists who had agreed to make or were contemplating contracts with NECA. This was done for the purpose of persuading the NECA sponsors that the business was fraudulent or, at the least, highly suspect.

The result, naturally enough, was to stop NECA more or less dead in its tracks. The potential sponsors recognized that, however baseless NAC's charges, a new business could never get off the ground in the face of such virulent and well-organized opposition. The National Eye Care Association instituted a \$10 million lawsuit against Richard Bleeker and NAC—a suit that was later broadened to include the American Foundation for the Blind and the Minneapolis Society for the Blind as co-defendants.

In light of such actions, it becomes difficult to discuss NAC in terms of quality service and professional standards. The terms become meaningless when experience has shown that NAC is willing to conspire to damage not just the reputations and programs of agencies that resist becoming accredited, but the very livelihoods of persons

NAC deems its enemies.

There are many lesser examples of what NAC calls the "advancement of standards." When the State of California rescinded a decision to require NAC accreditation of blind agencies doing business with the state, partly on the advice of a consumer advisory board, NAC went over the heads of state rehabilitation officials to complain to Governor Jerry Brown. Writing to the Governor's assistant, Richard Bleeker stated: "... I am interested in learning more about the advisory committee's function, composition, representativeness, and decision-making process. Would you be so kind as to provide me with a statement of the committee's purpose, the names of the three organizations that are represented, as well as a copy of the minutes or other record which contains the substance of the committee's discussion of the accreditation issue."

When the board of the Illinois Division of Vocational Rehabilitation (DVR) met to consider a decision by the DVR director to require NAC accreditation of blind agencies contracting with the state, NAC brought to the meeting Fred McDonald, executive director of the Chicago Lighthouse. Mr. McDonald acted as spokesman for the "Independent Blind of Illinois." He produced a letter supporting NAC that had 64 names on it. When the letter was examined, however, it emerged that the names were not signed but typed. (Since many of the names were of people in Mr. McDonald's employ, even their signatures would have indicated little about the "independence" of their views.)

At this meeting, in response to questions from the DVR board, it was brought out that NAC had *never* revoked the accreditation of an agency on its list. This appeared to carry great weight with the DVR board, which later voted to rescind the requirement that agencies contracting with the state seek NAC accreditation. NAC was shown to be an accreditation system without teeth, more interested in bolstering its prestige with numbers than enforcing high standards of service.

Shortly after the DVR meeting, NAC

revoked the accreditation of one of its agencies. In the circumstances, who would believe that the decision was made on its objective merits. NAC decided it must have an answer the next time such a question was raised.

Conclusion

We began this open letter with the premise that the National Accreditation Council was formed by the American Foundation for the Blind in order to perpetuate its tradition of benevolent custodialism, and further, that this was not a positive development. It is a difficult premise to prove because its validity depends on another premise—that the blind are capable of independence and normal lives.

But over the years the problems with NAC have changed in nature as well as in dimension. This happened because the theory of work with the blind espoused by NAC has lost ground with the field as with the public—it is far more outmoded now than ten years ago. NAC has had to change its thrust simply to remain in existence. It has become the focus for the defensive activities of a very small group of agencies. They are agencies whose directors or programs have been shown by court decisions, or independent studies, or client experience, or

federal audits to be substandard. They are agencies whose boards, in general, are interlocking with those of NAC and the American Foundation for the Blind (this has become more the case over the years).

We support—as must all people of sense—the desire of a school or agency to be approved by a reputable accrediting body. But those responsible for making this decision should examine what they are purchasing. NAC accreditation is expensive: it is a commitment of either public tax money or funds contributed by a charitable public. The only valid justification for devoting funds to accreditation is that such accreditation ensures the maintenance of high program standards. With relation to NAC, such a contention becomes absurd in light of NAC's approval of the actions of the Florida agency, the Cleveland Society, the Minneapolis Society, and the Chicago Lighthouse, and its own actions regarding the NCSAB, the Columbia Lighthouse, the Youngstown Society, the California Department of Rehabilitation, and the National Eye Care Association.

A majority of agencies and consumers has concluded that NAC accreditation does not ensure high standards of service. It lends an agency no respectability or credibility whatever. □

RECIPE OF THE MONTH

by SALLY HARPER

Note: Sally Harper is a member of the NFB Black Hills Chapter, in Rapid City, South Dakota.

WAIKIKI MEATBALLS

Ingredients

- 1-1/2 lb. ground beef
- 2/3 cup cracker crumbs
- 1/3 cup minced onion
- 1 egg
- 1-1/2 teaspoon salt
- 1-1/4 teaspoon ginger
- 1/4 cup milk
- 1 tablespoon shortening

- 2 tablespoons cornstarch
- 1/2 cup brown sugar
- 1 can (13½ oz.) pineapple
(drained, save the juice)
- 1/4 cup vinegar
- 1 tablespoon soy sauce
- 1/2 cup chopped green peppers
- 1 package frozen pea sprouts

Mix the meat, crumbs, onion, egg, salt, ginger, and milk. Shape the mixture by rounded tablespoons into meatballs. Heat the shortening in a skillet and brown and cook the meatballs. Remove from heat and drain away the grease. *(continued)*

Mix the cornstarch and sugar; stir in the pineapple juice, vinegar, and soy sauce until smooth. Pour this mixture into a skillet and cook over medium fire, stirring constantly until the mixture thickens and boils. Boil and stir for one minute. Add the meatballs, pineapple, green pepper, and one package of frozen pea sprouts. Cook until the sprouts are thawed and the meatballs and peppers heated. Serve. □

MONITOR MINIATURES □□□□□□□

- The 1978 NFB Merchants Convention will be held October 13 through 15 in Denver, Colorado. Reservations are available by calling 303-388-5561, or writing to the Land Mark Inn, 455 South Colorado Boulevard, Denver, Colorado 80222. All merchants and those interested in organizing a state merchants division are invited to attend.
- Services for the Blind, Inc., has sets of cassettes containing the testimonial dinner for Kenneth Jernigan held May 20, 1978, in Des Moines. To obtain the cassettes, send a check for \$5 to Services for the Blind, 219 Randolph Hotel Building, Des Moines, Iowa 50309.
- Charles Allen, president of the NFB of Kentucky, sends the following sad note: "I am sorry to notify you of the death of Sybil Martin, first vice-president of the NFB of Kentucky. She died July 14, following a brief illness. Sybil was president of the Northern Kentucky chapter and ran a vending facility at the Covington Courthouse. She willingly responded to my request that she work with Dick Edlund in organizing the CAB. Sybil had toughness that was born of dedication and matured by hard work. After losing her sight, she regained her confidence and wanted every other blind person to share that triumph and joy. She and her husband worked as an untiring team. We could always count on her help, and we shall miss her."
- John F. Moses, director of the International Rehabilitation Film Review Library, has selected the film about the NFB, "We Know Who We Are," as one of nine that will be shown at the International Disabled Expo on August 12. The Expo will be held at the O'Hare Expo Center in Chicago. An international audience of about 10,000 is expected.
- A new chapter has been formed in Florida. Called the Tampa Bay Chapter, NFB of Florida, its officers are Teresa Thibodeau, president; Kathy Moyer, vice-president; Dorothy Campbell, recording secretary; Jane Boyd, corresponding secretary; and Evelyn LaBarbera, treasurer.
- The sculpture of Federationist Steve Handschu, which was on display at the NFB Convention and also at the meeting of the National Committee—Arts for the Handicapped held earlier at the Kennedy Center in Washington, D.C., is presently being exhibited at the gallery of the National Chamber of Commerce for Women, 1623 Connecticut Avenue, NW., Washington, D.C. On exhibit is the piece Steve gave to the Federation, titled *Transcended Confrontation*, as well as his award-winning *Forest Birth and Song of Butternut Woman*.
- Federationist Linda Miller has been appointed by Ohio Governor Rhodes to be one of eleven members of the Spanish Speaking Commission. The Commission was created to facilitate equal treatment for Hispanics in Ohio. In July Linda was also chosen an outstanding Woman of Ohio by the Women's Information Council of Ohio. Nominated by the City of Toledo Affirmative Action Office, Linda is one of 21 women chosen out of 150.
- Carl Miller has been elected president of the Prairie State Chapter, NFB of Illinois. He replaces Mrs. Charlene Elder, who, after two years as president, resigned to take a position as human relations representative with the Client Assistance Project in Springfield. Bill Isaacs was elected vice-president, and Mrs. Charlotte Miller will serve on the board. The chapter plans to set up blindness information centers at the Jefferson Square Shopping Center in Joliet and at the Illinois State Fair.

As usual, this last page of the *Monitor* is devoted to tear-out cards to join the Pre-Authorized Check (PAC) Plan and to enroll an Associate. We have reported on the Federation's battles to protect the rights of shopworkers and vendors and to protect the sort of rehabilitation programs that enable all blind persons to take their places as equal members of society. If these activities are not important to you, if you are content to have the blind children growing up today repeat the experiences you have had, then leave these cards unused. If you do, these requests for support will soon stop, for there will be no *Monitor* to print them in. The Federation will fade away, and the American Foundation for the Blind, NAC, and their colleagues will be free to gain full control over the lives of the blind. On the other hand, if each reader of the *Monitor* would sign up even one Associate each month, or would simply join the PAC Plan, the Federation's financial worries would be over for good. As it is, 30% of the Federation's budget is now being provided by fewer than 1,000 Federationists. Very little is required of each Federationist, but it is needed from every Federationist, and it is needed now.

ASSOCIATES PROGRAM of the NATIONAL FEDERATION OF THE BLIND

The National Federation of the Blind has chapters in all fifty states and in almost every local community in the nation. The Federation has more than 50,000 members and is working to help the blind have full and meaningful lives. It is not financed by the government but depends for support on contributions from its Members, its Friends, and ASSOCIATES.

I support the National Federation of the Blind and wish to make a tax-deductible contribution for the year _____ by participating in the ASSOCIATES Program as indicated:

- | | |
|--|---|
| <input type="checkbox"/> Associate — \$10 | <input type="checkbox"/> Sponsoring Associate — \$100 |
| <input type="checkbox"/> Contributing Associate — \$25 | <input type="checkbox"/> Sustaining Associate — \$500 |
| <input type="checkbox"/> Supporting Associate — \$50 | <input type="checkbox"/> Member of the President's Club — \$1,000 |

Name _____

Address _____

Telephone _____ Date _____

Local representative of the National Federation of the Blind: _____

This application (and accompanying check made payable to: National Federation of the Blind) should be sent to: Richard Edlund, Treasurer, National Federation of the Blind, Box 11185, Kansas City, Kansas 66111.

ASSOCIATES PROGRAM — RECEIPT

Received of _____ the amount of _____ dollars.

Date _____

Signature of local representative of the National Federation of the Blind

(All contributions to the National Federation of the Blind are tax-deductible.)

PRE-AUTHORIZED CHECK PLAN (*Instructions on back of the card*)

I hereby authorize the National Federation of the Blind to draw a check to its own order in the amount of \$ _____ on the _____ day of each month payable to its own order. This authorization will remain in effect until revoked by me in writing and until such notice is actually received.

X

Bank signature of donor (both signatures if two are necessary)

Address _____

We understand that your bank has agreed to cooperate in our pre-authorized check plan on behalf of your depositor. Attached is your client's signed authorization to honor such checks drawn by us. Customer's account and your bank transit numbers will be MICR-printed on checks per usual specifications before they are deposited. Our Indemnification Agreement is on the reverse side of the signed authorization.

AUTHORIZATION TO HONOR CHECKS DRAWN BY NATIONAL FEDERATION OF THE BLIND

Name of depositor as shown on bank records _____ *Acct. No.* _____
Name of bank and branch, if any, and address of branch where account is maintained _____
For my benefit and convenience, I hereby request and authorize you to pay and charge to my account checks drawn on my account by the National Federation of the Blind to its own order. This authorization will remain in effect until revoked by me in writing, and until you actually receive such notice I agree that you shall be fully protected in honoring any such check. In consideration of your compliance with such request and authorization, I agree that your treatment of each check, and your rights in respect to it shall be the same as if it were signed personally by me and that if any such check be dishonored, whether with or without cause, you shall be under no liability whatsoever. The National Federation of the Blind is instructed to forward this authorization to you.

X

Bank signature of customer (both signatures if two are necessary)

Date _____

NFB PRE-AUTHORIZED CHECK PLAN. This is a way for you to contribute a set amount to the NFB each month. The amount you pledge will be drawn from your account automatically. On the other side of this card, fill in the amount you want to give each month and the day of the month you want it to be drawn from your account. Sign the card in two places, where the X's are. The rest will be filled in by the NFB Treasurer. Enclose a voided check with the card, and mail it to Richard Edlund, Treasurer, National Federation of the Blind, Box 11185, Kansas City, Kansas 66111. Your bank will send you receipts for your contributions with your regular bank statements. You can increase (or decrease) your monthly payments by filling out a new PAC Plan card and mailing it to the Treasurer. Also, more PAC Plan cards are available from the Treasurer.

INDEMNIFICATION AGREEMENT

To the bank named on the reverse side:

In consideration of your compliance with the request and authorization of the depositor named on the reverse side, the NATIONAL FEDERATION OF THE BLIND will refund to you any amount erroneously paid by you to the National Federation of the Blind on any such check if claim for the amount of such erroneous payment is made by you within twelve months from the date of the check on which such erroneous payment was made.

Authorized in a resolution adopted by the Board Members
of the National Federation of the Blind on November 28, 1974.

THE NATIONAL FEDERATION
OF THE BLIND

BY: _____
Treasurer

THE BRAILLE MONITOR
218 RANDOLPH HOTELL BLDG.
DES MOINES, IOWA 50309

ADDRESS CORRECTION REQUESTED

NON-PROFIT ORGANIZATION
U.S. POSTAGE PAID
PERMIT NO. 581
DES MOINES, IOWA